	Case 5:04-cv-03843-RMW Document 436	6 Filed 02/14/07 Page 1 of 3
1 2 3 4 5 6		E-FILED on <u>2/14/07</u>
7 8	IN THE LINITED STA	TES DISTRICT COURT
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
10	SAN JOSE DIVISION	
11		
12	MEMRY CORPORATION,	No. C-04-03843 RMW
13	Plaintiff,	CLARIFICATION TO ORDER GRANTING
14	v.	KENTUCKY OIL'S MOTION TO CONTINUE HEARING ON SEVEN
15	KENTUCKY OIL TECHNOLOGY, N.V., PETER BESSELINK, MEMORY METALS	MOTIONS FOR PARTIAL SUMMARY JUDGMENT
16	HOLLAND, B.V.,	[Re Docket No. 368]
17	Defendants.	
18	KENTUCKY OIL TECHNOLOGY, N.V.,	<u>.</u>
19	Counterclaimant,	
20	v.	
21	MEMRY CORPORATION and	
2223	SCHLUMBERGER TECHNOLOGY CORPORATION,	
24	Counterdefendants.	
25		1
26	Defendant and counterclaimant Kentucky Oil Technology, N.V. ("KOT") previously asked this	
27	court to continue by two weeks the March 2, 2007, hearing date on the seven motions for partia	
28	summary judgment filed by plaintiff and counterdefendant Memry Corporation ("Memry") and	
	CLARIFICATION TO ORDER GRANTING KENTUCKY OIL'S MOTION TO CONTINUE HEARING ON SEVEN MOTIONS FO PARTIAL SUMMARY JUDGMENT—C-04-03843 RMW MAG	

Case 5:04-cv-03843-RMW Document 436 Filed 02/14/07 Page 2 of 3 counterdefendant Schlumberger Technology Corporation ("STC"). The court granted KOT's motion, but it would appear that KOT was unable to take advantage of the extended deadline for filing its opposition. Accordingly, the court clarifies its order as follows: STC and Memry's reply briefing shall be filed by Tuesday, March 20, 2007. The order otherwise remains unchanged. The hearing on the motions shall remain scheduled for Friday, March 23, 2007 at 9:00 a.m. and the Pre-Trial Conference and Trial dates shall be as scheduled in this court's prior order. mald m white DATED: 2/14/07 RONALD M. WHYTE United States District Judge

CLARIFICATION TO ORDER GRANTING KENTUCKY OIL'S MOTION TO CONTINUE HEARING ON SEVEN MOTIONS FOR PARTIAL SUMMARY JUDGMENT—C-04-03843 RMW MAG 2

Case 5:04-cv-03843-RMW Document 436 Filed 02/14/07 Page 3 of 3 1 Notice of this document has been electronically sent to: 2 **Counsel for Memry:** Andrew C. Ryan ryan@cantorcolburn.com William J. Cass 3 wcass@cantorcolburn.com Thomas Mango tmango@cantorcolburn.com benjamin.holl@dbr.com 4 Benjamin J. Holl Charles A. Reid, III charles.reid@dbr.com 5 **Counsel for STC:** 6 Nancy J. Geenen ngeenen@foleylaw.com David B. Moyer dmoyer@foley.com 7 Kimberly K. Dodd kdodd@foley.com 8 **Counsel for KOT:** Michael H. Bierman mbierman@luce.com 9 npisano@luce.com Nicola A. Pisano Jeffrey David Wexler jwexler@luce.com 10 Counsel are responsible for distributing copies of this document to co-counsel that have not registered 11 for e-filing under the court's CM/ECF program. 12 **Dated:** 2/14/07 /s/ MAG 13 **Chambers of Judge Whyte** 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 CLARIFICATION TO ORDER GRANTING KENTUCKY OIL'S MOTION TO CONTINUE HEARING ON SEVEN MOTIONS FOR PARTIAL SUMMARY JUDGMENT—C-04-03843 RMW 3 MAG